

**ENVIRONMENTAL PROTECTION COMMISSION[567]**

**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.261 through 455B.274, the Environmental Protection Commission hereby amends Chapter 50, “Scope of Division—Definitions—Forms—Rules of Practice,” Iowa Administrative Code.

The purpose of this amendment is to rescind subrule 50.4(2), which implements the \$25 application fee for the water use and allocation permits.

As a result of the passage of 2008 Iowa Acts, House File 2672, of the 82nd General Assembly, the Department is in the process of developing rules for the water use and allocation permitting program. Those rules will proceed through the routine Notice of Intended Action process, including public participation. This emergency rule making is intended to eliminate the \$25 permit application fee while the new rules are being drafted.

In compliance with Iowa Code section 17A.4(2), the Commission finds that notice and public participation are unnecessary because the application fee is rescinded with no other effect on the permitting rules.

The Commission also finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of the amendment should be waived and the amendment should become effective upon filing with the Administrative Rules Coordinator, as the amendment confers a benefit on everyone who applies for a permit.

This amendment is intended to implement Iowa Code sections 455B.105 and 455B.173.

This amendment became effective on August 20, 2008.

The following amendment is adopted.

Rescind and reserve subrule **50.4(2)**.

[Filed Emergency 8/20/08, effective 8/20/08]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 9/10/08.